

8/27/01

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

ABINGDON CALENDAR - AUGUST 28, 2001

(The Honorable William F. Stone Jr. Presiding)

(Start _____ Recess _____ / _____ Stop _____ Trials: _____ Proceedings _____).

Attys:

Debtors:

Case Nos.:

Trustees:

9:30 A. M. - PRE-TRIALS IN COURTROOM

Carmody	MICHAEL MAXWELL II-ch7	7-01-1177	Wick/JM
	A/P 7-01-00087: Det. Dischargeability; contd fr 8/28 for final pre-trial American Express (Copeland) v. debtor		

9:30 A. M. - PRE-TRIALS IN COURTROOM

Lamie	CAROLYN JANSEN-ch7	7-01-01308	Callahan/S
	A/P 7-01-00088: Recover money or property; determine validity of lien First Community Bank pdba Blue Ridge Bank (Harmon) v. debtor and Laura and Steve Stone (Wick)		

Carroll	GERALDINE STREET	7-00-01647	Callahan/NS
	A/P 7-01-00058: Det. Dischargeability; contd from 7/10 & 8/28 Debtors v Sears(); Chase Manhattan Bank USA NA (); World Financial Network National Bank () & MBNA America Bank ()		

Rhue	MELISSA CRIGGER-ch7	7-01-02729	Wick/SJ
	Motion #1: Relief - filed 8/3/01; d/e # 10, 11 Chase Manhattan Mortgage Corp (Epps) v. debtor & trustee —Agreed Ord.to chambers 8/24 - order entered 8/24		

Cody	WILLIAM & TERESA JOHNSON-ch7	7-01-02547	Callahan/NS
	Motion #2: Relief - filed 8/6; d/e # 15 Miners & Merchants Bank (Bolling) v. debtors & trustee		

10:00 A.M. - MISCELLANEOUS HEARINGS

Copeland	THOMAS DUNFORD-ch7 Motion of Debtors to Dismiss case filed 7/16; d/e # 14	7-01-02563	Callahan/PR
Largen	PATRICK & SASHA SUTPHIN-Ch7 Motion #1: Avoid lien, filed 7/30; d/e # 21, 22 Debtors v. Beneficial Va. Inc c/o Commonwealth Legal Services Corp / Registered Agt	7-01-00560	Wick/JJ
Largen	GREGORY & HOLLI UTT-ch7 Motion #1: Avoid lien; filed 7/30; d/e # 13, 14 Debtors v. Beneficial Va. Inc c/o Commonwealth Legal Services Corp / Registered Agt	7-01-01666	Wick/JJ
Largen	LARRY & HELEN HOLMAN-ch7 Motion #1: Avoid lien, filed 7/30; d/e # 12, 13 Debtors v. Beneficial Va. Inc c/o Commonwealth Legal Services Corp / Registered Agt	7-01-01664	Wick/JJ
Copeland	INDEPENDENT ENTERPRISES INC-ch11 Showcause for Debtor and Debtor's counsel; failure to comply with Local Rule 3022-1 (d/e # 84) - contd from 6/5 ; info presented 6/5 not in proper format –contd fr 7/10; contd further fr 8/28 from bench; no ord thereon required ; for notice to all creditors in interim on final report	7-98-02622	DIP/SJ
Copeland	TERRY'S INC-ch7 Motion of counsel for debtor for compensation of \$25,733.95 fees and \$2,351.55	7-98-00781	Wick/VS

expenses, filed 7/27; d/e # 192

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10:00 A. M. - MISCELLANEOUS HEARINGS

Gifford	JAMES & LOIS WYATT-ch13	7-01-01301	Widener/VS
	Motion of Debtors to convert to Chapter 12		

Note: Mot 1:Relief is set for 9/12@ 2

Via	JACK & BONNIE NEWMAN-ch7	7-01-03096	Callahan/JJ
	Motion #1: Relief - filed 8/7; d/e # 10, 11		
	Tri Cities Financial (Copeland) v. debtors & trustee		
	–Movant certif filed 8/9, d/e # 12		

Beck	ANTAEUS TECHNICAL SERVICES INC-Ch7	7-99-02114	Copeland/VS
	Motion of Trustee (Copeland) to destroy books & records filed 7/27; d/e # 256		

Motion of Trustee (Copeland) for compensation for auction sale by Charles Meade of Meade Realty (Commission of \$1,921.10 and expenses of \$5,361.57) **d/e # 258**

Motion of Trustee (Copeland) for compensation for real estate sale by Charles Meade of Meade Realty **d/e # \$ 259**
(See also d/e # 257, Report of Auctioneer)

Sheffield	COLLIDGE POTTER-ch7	7-99-02868	Callahan/AF
	Motion of Kings, Higgs & Callahan for fees as attorney for trustee in amt of \$11,036.66 and \$380.81 expenses. Filed 8/7; d/e # 61, 67 & 70		
	– Notification filed 8/24 by trustee of no objections filed		

Motion of Trustee for compensation of \$8,987.03 and expenses of \$562.13 filed 8/7; d/e # 63, 68 & 70
–**Notification filed 8/24 by trustee of no objections filed**

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10:00 A. M. - MISCELLANEOUS HEARINGS

Largen	JAMES & MARY TURPIN-ch7	7-01-01194	Wick/SJ
	Debtors' Motion to Redeem tangible personal property and Motion for Valuation of Security w/Grand Home Furnishings & trustee d/e # 13 - contd fr 8/15 (discussing redemption) ; contd from 8/28		

Carmody	PAMELA MONK-chl3	7-01-00703	Widener/PR
	Motion #1: relief - contd from 8/15 & 8/28 d/e # 3 Liberty Savings Bank (Sasser/LAMIE) v. debtor & trustee <u>Debtor response filed 8/10; d/e # 36</u>		

See also 1:00 p.m. confirmation and related matters at PG 7

11:00 A.M. - MISCELLANEOUS HEARINGS

Largen	JESSE & DARLENE REEVES-chl3	7-01-00051	Widener/VS
	Motion #1: Relief - filed 7/17; d/e # 22, 23; contd from 8/15 Cenlar (McQuiddy/SHORTTRIDGE) v. debtors & trustee <u>Response of debtors filed 7/20; d/e # 24</u>		

Copeland	BRIAN VAN DYKE	7-01-02723	Callahan/PR
	Motion #1: Avoid lien filed 7/20; d/e # 10 Debtor v. Beneficial of Va. Inc c/o John O'Bryan, President		

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11:00 A. M. - MISCELLANEOUS HEARINGS

Copeland	KELLY LANE - Ch. 7	7-01-02724	Wick/SJ
	Motion # 1: Avoid lien Debtor v. Beneficial of Va., Inc. () – d/e # 10		

Lamie	SAMUEL BANKS-chll	7-96-01240	DIP/LM
	Chapter 11 Plan #3 Confirmation d/e # 254, filed 7/9/01 Objections: Sherry Banks (Renewed Obj) (Copeland) filed 8/22d/e # 267		

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Copeland DAVID & AMELIA RUTHERFORD-chl3 7-01-02194 Widener/S
Mod Plan filed 6/7/01; d/e # 12 ; ntc d/e # 8 contd by 8/7 ord from 8/15
2nd Amended Plan filed 6/27; d/e # 14

Copeland RONNIE EDWARDS-chl3 7-00-00392 Widener/SJ
Mod Plan filed 6/25; d/e # 62, 63 ; Mot to continue filed 8/6 to 8/28 granted by 8/7 ord
–certif of service filed 6/29 ; contd fr 8/28
Objection: Trustee w/motion to dismiss or convert, d/e # 68 filed 8/7

Copeland RODNEY & LYNN HAMM-chl3 7-01-02028 Widener/AF
Plan filed 5/7; d/e #6 - contd by 7/30 ord from 8/15 & 8/28 – d/e #22
Objection: Highlands Union Bank (Hutton) – d/e # 24

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1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Gifford CHARLES & BETTY HALL-chl3 7-99-03036 Widener/JJ

Mod Plan filed 7/16; d/e # 42, 43

Trustee Motion to dismiss/convert; d/e # 40; contd from 8/15

Motion #2: Relief - filed 7/2; d/e # 38, 39 ; contd from 7/24

The Bank of New York as Trustee under The Pooling and Service Agreement
Dated as of Nov. 30, 1996, Series 1996-D (Sasser) v. debtors & trustee

–Response filed 7/11; d/e # 41

–ORDER of 8/3 dismissed Mot #2 without prejudice

Gifford STEWART & CHRISTINA SMITH 7-97-03623 Widener/PR
Mod Plan filed 7/12; d/e # 35; 37 contd fr 8/28; (Tr can conf prior IF ck clears)

Timoney ANDREW & PATRICIA DEBORD-chl3 7-01-00303 Widener/PR
Mod Plan filed 5/31; d/e # 30 ; contd fr 7/24; to be current by 8/24 *
Objection: Washington Mutual Finance (Hutton) filed 7/2; d/e # 43

Objection of Trustee & Showcause on Dismissal, d/e # 14, contd from 6/5 & 7/24 *

Motion of Debtor to Incur Debt to purchase vehicle filed 7/23; noticed 8/15; #45, 50

Motion #1: Relief - filed 6/27; d/e # 40, 41

Washington Mutual Finance (Hutton) v. debtors & trustee

Response of Debtor filed 6/29; d/e/ # 42

*(All matters contd fr 8/28; only \$31 due to cure arrears to tr & ck recd in M1 will
cure arrears IF clears bank; if arrears cured; conf ord may be tendered prior & hrg
cancelled and ord ten.by movant in M1 to w/draw mot & obj of Washington Mutual)*

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1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Carmody PAMELA MONK 7-01-00703 Widener/PR
Plan filed 4/23; d/e # 13 - contd fr 6/5
(Contd fr 7/24; awaiting outcome of case pending in state ct ref. both dbtr & spouse
claims to dependents on tax returns)
Objection: Huntington National Bank (Black/Hale) filed 5/24; d/e # 21
Trustee – d/e #27

Motion of Trustee to Dismiss, d/e # 18, contd fr 5/22 & 6/5

Motion of Trustee to Convert or Dismiss filed 6/19 – d/e #27

–SEE ALSO RELIEF MOTION AT 10:00, page 4

M Hart	EDNA OLINGER-chl3	7-01-01529	Widener/SJ
	Mod Plan filed 7/5; d/e # 22, 23		
	Objection: Trustee w/Showcause on Dismissal; d/e # 17 ; <u>contd fr 7/10</u>		

1:00 P. M. - MISCELLANEOUS HEARINGS

Hutchinson	PATSY MOORE-chl3	7-00-01787	Widener/NS
	Motion of Trustee to convert or dismiss filed 8/1; d/e # 27		

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1:00 P. M. -MISCELLANEOUS HEARINGS

Copeland	DENNIS & JANICE KEEN-chl3	7-97-02266	Widener/JJ
	Trustee Motion to dismiss or convert (failure to make plan pmts) d/e # 48; filed 5/25		
	–contd fr 7/24 & 8/28 (7 pmts arrears)		

Rhue KENNETH & SHIRLEY ALEXANDER-chl3 7-98-04337 Widener/NS
Trustee Motion to Dismiss or convert; filed 8/1; d/e # 39

Carmody RALPH & CAROL BOWMAN-chl3 7-98-02032 Widener/SJ
Trustee Motion to convert or dismiss filed 6/14; renoticed 7/30 , d/e # 54, 55

Largen VIRGINIA COMBS-chl3 7-99-03362 Widener/SJ
Motion of Trustee to dismiss or convert; filed 8/1; d/e # 20

Hutchinson JOE FRITTS-chl3 7-00-03866 Widener/JJ
Motion of Trustee to dismiss or convert case, filed 8/1; d/e # 22 contd fr 8/28

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1:00 P. M. -MISCELLANEOUS HEARINGS

M Black PAUL & CRYSTAL GARWOOD-chl3 7-00-02449 Widener/S
Motion of Trustee to dismiss or convert; filed 7/30; d/e # 63
–Trustee Mot. Dismissed by order of 8/16

Copeland BILL GREEVER, SR. - Ch. 7 7-98-00088 Wick/AF
Motion of Debtor to sell property & shorten notice requirement filed 7/12; d/e # 218
—contd fr 8/28 for review by trustee appointed in Chapter 7 cse (converted 8/30)

Copeland MARK & LISA NEWMAN-ch13 7-01-02121 Widener/VS
(*note:mod plan & tr. Showcause & eval mot re. Heilig Meyers set 9/25 @ 1*)
Motion #1: Relief - contd by 8/8 ord for further proceedings regarding real property
Conseco Finance Servicing (Chappell/Esposito) v. Debtors d/e # 41
—contd from 8/28 to 9/12

Via PHILIP & JENNIFER BARKER-ch13` 7-96-04395 Widener/MC
Motion #2: Relief - filed 8/3/01; d/e # 46, 47; contd from 8/28
Bank of Tennessee (J. Lyle) v. debtors & trustee

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2:00 P.M. MISCELLANEOUS HEARINGS

Carmody DANIEL & GEORGIA THOMPSON-ch13 7-97-00549 Widener/S
Motion for Hardship Discharge - 11 USC §1328(b) **d/e #51, 54** ; contd fr 6/5 & 7/24
Objection: Trustee d/e # 56

Trustee showcause; dismiss/convert; failure to file hardship dischg contd fr 6/5 & 7/24

2:30 P.M. MISCELLANEOUS HEARINGS

Copeland S T & J INC -ch11 7-01-03411 DIP/VS
Motion to Reject Executory Contract with Coleman Oil with
service upon Penn-Stuart-Eskridge as Registered Agent , filed 8/7 w/notice; d/e # 9

Mot. For Continuance of period of at least 60 days filed 8/24, d/e # 19 (H. Beck)
(*Tel.conf scheduled 8/24 @ 3:00 p.m.*)

–MOT for continuance granted; further telephone pre-trial conference scheduled 8/31 @ 3:00 p.m.(or @ conclusion of §341 mtg.; counsel to initiate call from Abg.